



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,870	12/18/2000	Gurbinder Singh Kalsi	60,130-925	7086

26096 7590 07/06/2004
CARLSON, GASKEY & OLDS, P.C.
400 WEST MAPLE ROAD
SUITE 350
BIRMINGHAM, MI 48009

EXAMINER

WALSH, JOHN B

ART UNIT	PAPER NUMBER
----------	--------------

3676

DATE MAILED: 07/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/674,870

Applicant(s)

GURBINDER SINGH KALSI

Examiner

John B. Walsh

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-15,17-21,29-34,39 and 48-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8,9,15,17 and 39 is/are allowed.
- 6) ☒ Claim(s) 1-3,5,14,18,19,29 and 32-34 is/are rejected.
- 7) ☒ Claim(s) 6,7,10-13,20,21,30,31 and 48-50 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3676

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 14, 18, 19, 29 and 32-34 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,653,484 to Brackmann et al.

Brackmann et al. '484 disclose a housing (figure 1); a pawl (2); at least one of an inside and outside lock link (5); a release member (24); a first position wherein operation of an associated release member causes movement of the pawl to release the latch (actuation of handle 24 moves 5 to move 3 releasing the pawl 2) and a second position at which operation of the release member does not cause movement of the pawl (column 3, lines 49-50; actuation of the handle 24 does not cause movement of the pawl 2 since the connection is broken when movement of 5 does not cause movement of the next link in the chain of movement); the at least one lock link is mounted such that movement of the pawl is necessarily accompanied by movement of the at least one lock link (when the pawl is moved the lock link was moved earlier in the chain of movements, when in the second position the pawl will not be moved), the at least one lock link is pivotally mounted for rotational movement between the first and second positions (figure 1).

As concerns claim 2, the pawl is rotatably mounted (figure 1).

As concerns claim 3, a pawl lifter (10), the at least one lock link is mounted on the pawl lifter (figure 1, in contact with each other).

Art Unit: 3676

As concerns claim 5, both an inside and outside lock link (4 and 5) mounted for movement with the pawl (when 4 or 5 move, pawl 2 will also move).

As concerns claim 14, a power actuator (connection between 24 and 5 acts as a power actuator by transferring power from 24 to 5 and powering actuation of 5).

As concerns claim 18, a lock mode (locked) and a release mode (unlocked); a single power actuator (21).

As concerns claim 19, a lock mode (locked), a super lock mode (both inside and outside locked, actuators will not release).

As concerns claims 29, 33 and 34, the at least one lock link is mounted for rotation about a common first axis with the pawl (an axis of the housing coming out of the page, wherein if the housing were rotated about this axis the at least one lock link and pawl would both rotated about this axis). Furthermore, applicant's drawings do not clearly show the axis of the pawl for which it is connected to the housing.

As concerns claim 32, both an inside and outside lock link (4 and 5) mounted for movement with the pawl (when 4 or 5 move, pawl 2 will also move). It is unclear if applicant is intending to recite that the pawl moves upon simultaneous rotation of both the outside and inside lock link. The claim has not been rejected upon that interpretation.

Allowable Subject Matter

3. Claims 6, 7, 10-13, 20, 21, 30, 31 and 48-50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 3676

4. Claims 8, 9, 15, 17 and 39 are allowed.

Response to Arguments

5. Applicant's arguments filed March 20, 2004 have been fully considered but they are not persuasive.

The applicant's argument that component 5 of Brackmann, et al. is not a lock link because it does not provide a locking function or otherwise operate as a link is not persuasive because the claim does not recite that the lock link provide a locking function and component 5 meets the broadest reasonable interpretation as a link as defined by the claim.

The applicant argues that during re-latching of the lock the pawl will pivot without disturbing lever 5 and therefore the limitation of claim 1 reciting "the at least one of an inside or outside link ... movement of the pawl is necessarily accompanied by movement of the at least one inside or outside lock link" is not met. The claim recites a first and second position and does not recite a third, re-latching position. The second position is where the above argued limitation takes place in the claim and Brackmann et al. discloses this limitation (see rejection above).

The applicant argues that component 24 does not change component 5 between these two positions because component 24 does not effect whether component 5 is in the first or second position. This argument is not found persuasive because the claim does not require component 24, the release member, changing component 5, the at least one outside lock link, but rather the release member causing movement of the pawl.

Art Unit: 3676

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

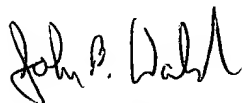
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 703-305-0444. The examiner can normally be reached on Monday-Friday from 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dan Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3676

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John B. Walsh
Primary Examiner
Technology Center 3670